

EIGHTH DAY

(Monday, January 21, 1963)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Kazen	Watson
Kennard	Word

Absent—Excused

Herring

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, January 17, 1963 was dispensed with and the Journal was approved.

Leave of Absence

Senator Herring was granted leave of absence for today and the remainder of the week on account of important business on motion of Senator Parkhouse.

Senate Resolution 26

Senator Creighton offered the following resolution:

Whereas, The Palo Pinto County Sheriff's Posse was invited to participate in the Inaugural Parade in Austin, Texas, January 15, 1963, honoring Governor John Connally and Lieutenant Governor Preston Smith; and

Whereas, The Senate was honored to have the members of the Posse and its Sweetheart, Miss Cindy Turner of Mineral Wells, Texas, as visitors in the Senate preceding the parade and

extended them the official welcome of the Senate; now, therefore, be it

Resolved, That the Senate of Texas extend its thanks and appreciation to the Palo Pinto County Sheriff's Posse for the part it played in the pageantry of the inaugural festivities; and be it further

Resolved, That a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be sent to the Palo Pinto County Sheriff's Posse in recognition of its contribution to this historical event.

The resolution was read and was adopted.

Senate Concurrent Resolution 9

Senator Crump offered the following resolution:

S. C. R. No. 9, Adopting the Joint Rules of the Senate and the House of Representatives for the 58th Legislature.

Be it Resolved by the Senate, the House of Representatives concurring, That the Joint Rules of the Senate and the House of Representatives of the 57th Legislature, as printed in the Legislative Manual of the 57th Legislature, be and the same are hereby adopted as the Permanent Joint Rules of the Senate and the House of Representatives of the 58th Legislature.

The resolution was read and was referred to the Committee on Rules.

Bill Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bill:

S. B. No. 1, A bill to be entitled "An Act authorizing moneys appropriated by S. B. No. 1, 57th Legislature, First Called Session, 1961, for the Senate of Texas, to be expended also for the additional purposes of paying any unpaid expenses and obligations incurred by the Senate during the fiscal year ending August 31, 1961; and declaring an emergency."

Signed subject to provisions of Section 49A of Article III of Constitution of the State of Texas.

Meeting of Committee on Rules

On motion of Senator Crump and

by unanimous consent the Committee on Rules was granted permission to meet while the Senate was in Session.

Report of Committee on Screwworm Eradication

Senator Krueger submitted the following report pursuant to the provisions of H. C. R. No. 8 of the Third Called Session of the Fifty-seventh Legislature:

To: The Honorable Preston Smith,
Lieutenant Governor
The Honorable Byron Tunnell,
Speaker of the House of Representatives

Gentlemen: We, the members of your Committee, appointed in accordance with House Concurrent Resolution No. 8, 57th Legislature, 3rd Called Session, desire to submit the reports attached hereto.

KRUEGER, Chairman

1

RESOLUTION AUTHORIZING THIS STUDY

The appointment of this Committee was authorized by House Concurrent Resolution No. 8, 57th Legislature, 3rd Called Session, which was adopted by the House on January 19, 1962, and by the Senate on January 23, 1962, and reads as follows:

H. C. R. NO. 8

Whereas, The screwworm has been a serious problem to Texas livestock and wildlife for many years; and

Whereas, The loss in wildlife has been of great concern to the sportsmen of Texas, and it is estimated that the screwworm costs the livestock owners of Texas approximately One Hundred Million Dollars (\$100,000,000) each year; and

Whereas, The screwworm has been eliminated from Florida and the southeastern section of the United States by the release of sterile male flies; and

Whereas, The 32-member livestock organizations comprising the Texas Animal Health Council have taken the initiative in securing funds from persons engaged in the livestock and related occupations to inaugurate a plan to inform the public of this program and to eliminate the screwworm from Texas and the Southwest; and

Whereas, The Texas Animal Health

Council later fostered the formation of a more formal organization known as the Southwest Animal Health Research Foundation which is governed by a Board of Trustees composed of fifteen (15) individuals representing various industry groups; and

Whereas, The officers of the Southwest Animal Health Research Foundation are C. G. Scruggs, Dallas, Editor of The Progressive Farmer, President; Marvin J. Bridges, Buffalo, Vice President; and Jerry Puckett, Ft. Stockton, Secretary-Treasurer; and

Whereas, Credit and commendation for major achievements are due The Texas Animal Health Commission, the Texas A. & M. Extension Service, The County Agents, the Texas Education Agency, the Vocational Agriculture Teachers, and the United States Department of Agriculture, who have conducted research and have held educational meetings and conferences and disseminated information on the eradication program; and

Whereas, The livestock industry is working diligently and in an organized and efficient manner to solve the screwworm problem, it seems desirable that the Legislature take note of these efforts, commend those responsible, and determine what the role of the State should be in carrying forward the important work; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That there be established an interim committee, consisting of five (5) members of the House of Representatives appointed by the Speaker, and five (5) Members of the Senate appointed by the Lieutenant Governor, to work in conjunction with the Southwest Animal Health Research Foundation, to attend its meetings and to become acquainted with its work and its program, and to make such reports and recommendations as it deems desirable to the Regular Session of the Fifty-eighth Texas Legislature; and be it further

Resolved, Since the problem of screwworm eradication is not limited to the boundaries of the State of Texas, but demands the cooperation and assistance of the livestock industry in bordering states, that a copy of this resolution be sent to each Member of the Legislature of the States of Louisiana, Oklahoma and New Mexico; and be it further

Resolved, That copies of this Resolution also be sent to the Honorable Orville Freeman, Secretary of Agriculture, Washington, D. C., and each member of the Texas delegation in the Congress.

II

MEMBERS OF THE COMMITTEE

The following were appointed to the Committee:

On the part of the House: Ray Bartram, Stanley Boysen, Steve Burgess, Glenn Kothman, and Gus Mutscher; on the part of the Senate: Robert W. Baker, Louis Crump, Abraham Kazen, Jr., Culp Krueger, and Ray Roberts.

After the election of Senator Ray Roberts to the Congress, Senator William T. Moore was appointed to fill the vacancy created by his resignation from the Senate.

III

THE SCREWORM PROBLEM

The screwworm, the maggot of a fly and a parasite that attacks all warm-blooded animals, even human beings, is causing an estimated \$100,000,000 annual drain on the livestock industry and the economy of Texas. The economic loss is reflected in death or damage to livestock and wildlife and its control and treatment represents approximately fifty per cent of a rancher's labor and costs in many instances. This loss is entirely unnecessary as has been demonstrated by an eradication program which, after eighteen months, completely eliminated this pest from Florida and the Southeast. It was accomplished by irradiating artificially reared male screwworm flies with gamma rays of Cobalt 60, and by releasing them in a systematic pattern so that they mated with native female flies, which breed only once. These females laid eggs which did not hatch—thus breeding themselves out of existence.

IV

SCREWORM ERADICATION

Having learned of Florida's experience, livestock producers related industries, and sportsmen in the State, through the thirty-two livestock organizations composing the Texas Animal Health Council, formed the Southwest Animal Health Research Foun-

dation and launched a drive to start the same type of program in Texas. Feasibility was evaluated by the Entomology Research and other United States Department of Agriculture personnel who were involved in the successful Screwworm Eradication Program in Florida and the Southeast. After thorough consideration of a screwworm program for the Southwest, these seasoned experts considered such a program feasible and submitted an eradication plan to be accomplished over a three-year period, the total cost of which has been estimated at \$12,000,000.00.

Spurred on by an opportunity to capitalize on a winter which has frozen out most of the flies and pupae in early 1962, this group raised funds from ranchers, sportsmen, and other interested persons. They then went to Washington and enlisted Federal participation and, with a small amount of help made available to the Texas Animal Health Commission by action of the Governor, through the Southwest Animal Health Research Foundation started the eradication program.

A screwworm "fly factory" capable of producing 100,000,000 sterile flies weekly has been built with funds contributed by livestock producers and sportsmen. This plant is equipped partially with fixtures and machinery contributed by the State of Florida and the United States Department of Agriculture which would have cost an estimated \$1,000,000 on today's market. Production of the 100,000,000 flies per week will require approximately 100,000 pounds of meat; 5,000 gallons of blood; 10,000 gallons of water; 55 gallons of formalin; 75 gallons of honey; 2 2/3 tons of sawdust; and other minor items each week. These supplies, together with personnel and release plane contacts create a program cost of approximately \$100,000 per week at peak production and release.

Most of the key personnel of the Florida program are now working with this effort, adding increased efficiency and economy, and the plant is producing thirty-three per cent more flies with twenty-five per cent less people than were employed in Florida. As would be expected in any new program, patterns must be established and the training of personnel is necessary and these things have been done. During the current period, production of flies has not been adequate for eradication, but a substantial reduc-

tion of infestation in the livestock of the Southwest has been reflected. Producers over the State are enthusiastic about the program and many are contributing a second time as they feel that the benefits already derived far exceeded their initial contribution to the program. Ranchers in some of the deer country report seeing the greatest number of live fawns this summer that they have seen in many years. (Wildlife experts report that, in some seasons, up to eighty per cent of the fawn crop is killed by screwworms.) Further testimony to the effectiveness of the eradication program is that some business houses retailing remedies for the treatment of screwworms report that their volume of sales for these products this year has been off as much as ninety per cent.

V

PROGRESS OF THE PROGRAM TO DATE

There has been considerable progress in screwworm eradication to date, and the following is a list of some of those groups and organizations who have contributed to that progress:

1. The Texas Animal Health Council, composed of 32 statewide livestock organizations in Texas, which initiated the formation of the Southwest Animal Health Research Foundation.

2. The United States Congress, which has made funds available for the eradication program. These Federal Funds are available only on a 50-50 matching basis with non-federal funds.

3. The Southwest Animal Health Research Foundation, a non-profit corporation, whose Trustees have worked many hours and traveled far to secure livestock producer and sportsmen funds and to spend them wisely. This group has agreed to raise \$3,000,000 of the \$6,000,000 needed to match Federal Funds. This group financed the construction of the present fly rearing facility at one-half the United States Department of Agriculture's estimated cost and in one-third the estimated time of construction, enabling the eradication program to be several years ahead of schedule.

4. The United States Department of Agriculture, which has the technical know-how and desire to eradicate the screwworm from the Southwest.

cate the screwworm from the Southwest.

5. The Texas Animal Health Commission, which is the official coordinating agency with the United States Department of Agriculture, but which has been hampered by the lack of funds.

6. The Vocational Agricultural Teachers, working under the Texas Education Agency, who are very instrumental in making surveys and disseminating information to livestock producers.

7. The A & M College Extension Service, which has worked with all persons in educational and information programs, and through the County Agents, it has been very instrumental in the program from the start.

8. The County Chairmen of the Southwest Animal Health Research Foundation and their committeemen, who have organized their counties to solicit funds for the eradication program.

9. Texas Sportsmen, who have contributed their time and money to the program.

10. The State of Florida, which donated much of the equipment used in their eradication program to the program in the Southwest, as it was no longer needed by them.

11. The Stockman and sportsmen of Louisiana, Arkansas, Oklahoma and New Mexico, who are contributing their time and money as have those of Texas.

VI

NEEDS OF THE PROGRAM

Screwworm flies survive the winter in South Texas and Mexico and advanced northward each year. To control and eradicate this pest, several things are needed:

1. The Southwest Animal Health Research Foundation has, with voluntary contributions of livestock producers and others, furnished almost all of the local matching funds for Federal Expenditures. Their funds on hand will be exhausted and the present program will cease by March 31, 1963, with a resultant loss of all progress in eradication, unless more non-federal funds are made available to match federal funds for the production and release of sterile flies.

2. An intrastate livestock transport

control line must be maintained across the state to prevent the shipping of infested animals northward to a screwworm free area. This line must be properly staffed by state personnel on a twenty-four hour basis until this pest is eliminated and the control line can be the Rio Grande River where the United States Department of Agriculture now controls the movement of livestock.

3. As eradication progresses, many backfires of infestation likely will occur in otherwise screwworm clear portions of the State. These sporadic eruptions of infestation must be identified, isolated, and treated by competent and trained personnel.

VII

MEETINGS ATTENDED BY THE COMMITTEE MEMBERS

The Board of Trustees of the Southwest Animal Health Research Foundation has met approximately once a month since its organization was formed in October of 1961, and the members of your Study Committee have attended various meetings of these Trustees. On February 14, 1962, there was a statewide meeting in Austin of those people interested in raising funds from the livestock producers and sportsmen for the eradication of the screwworm and a majority of the Committee were in attendance at that meeting. It was at this meeting that it was announced that an eradication program would be undertaken. In June of 1962, there was a dedication of the fly rearing facility erected at Moore Air Base, Texas, with producer funds, and several Committee Members were present at that time. On November 10, 1962, the livestock producers of Texas hosted a trip by members of the 58th Texas Legislature and others, to the fly rearing facility at Moore Air Base, Texas, and several of the Committee Members attended that meeting and were privileged to view the fly rearing facility in full operation.

VIII

CONCLUSIONS AND RECOMMENDATIONS OF THE COMMITTEE

The Committee is of the opinion that the screwworm eradication program will end at a time when success is in sight unless funds are made available for matching Federal Funds,

and that, properly financed, the program will be a success and we can have a screwworm free Texas in the near future.

Therefore, the Committee recommends:

1. That \$1,400,000 be made available to the Texas Animal Health Commission on an emergency basis for immediate use in screwworm eradication.

2. That \$1,600,000 be made available to the Texas Animal Health Commission for the biennium beginning September 1, 1963, for the purpose of screwworm eradication.

3. That any reasonable and necessary enabling Legislation be passed to permit the State to fulfill its role in the screwworm eradication program.

Screwworm eradication and the release of sterile flies is contingent upon many things, and more especially the weather. The needs of the Texas Animal Health Commission for the program can vary to a large degree because of weather (whether it is hot, cold, dry, wet, long winter, short winter, etc.) and we further recommend that all the latitude possible consistent with good budgeting practices, be given in the expenditure of any funds appropriated.

The Committee wishes to commend those many persons who have accomplished so much to rid the state of this pest without the appropriation of any state funds.

Respectfully submitted,

On the Part of the Senate

BAKER
CRUMP
KAZEN
KRUEGER
MOORE

On the Part of the House

BARTRAM
BOYSEN
BURGESS
KOTHMANN
MUTSCHER

The report was read and was filed with the Secretary of the Senate.

Report of Screwworm Eradication
Committee Ordered Printed
in Journal

On motion of Senator Krueger and by unanimous consent the Report of the Screwworm Eradication Committee was ordered printed in the Senate Journal.

Senate Bills on First Reading

The following bills were introduced, read first time and referred to the Committee indicated:

By Senator Parkhouse:

S. B. No. 46, A bill to be entitled "An Act to carry into effect the provisions of the amendment adding Section 49d to Article III of the Texas Constitution adopted at the General Election held on November 6, 1962; authorizing the acquisition and development of storage facilities by the Texas Water Development Board under certain conditions; defining certain terms; authorizing the Texas Water Development Board under certain conditions to execute long-term contracts with the United States or any of its agencies for the acquisition and development of storage facilities in reservoirs constructed or to be constructed by the Federal Government; limiting expenditures by the Texas Water Development Board for acquiring storage facilities as to principal obligations of \$50,000,000 and not to exceed \$15,000,000 for storage facilities in any single project; prescribing conditions for approval of Texas Water Commission for Texas Water Development Board to acquire and develop storage facilities or to contract with the United States therefor; prescribing prerequisites before acquisition by Texas Water Development Board of storage facilities; prescribing prerequisites, conditions and terms of sale, transfer or lease by Texas Water Development Board of acquired storage facilities; providing for collection, deposit, transfer and use of money received from any sale, transfer or lease of acquired storage facilities; authorizing the Texas Water Development Board to store unappropriated public waters of the state in acquired storage facilities and to sell any of said public waters under prescribed conditions and provisions; providing for use of money received from sale of water and standby service; authorizing Texas Water Development Board to release unappropriated public waters stored in acquired storage facilities to relieve an emergency condition under certain conditions; affording political subdivisions a preferential right to purchase, acquire or lease storage facilities or to purchase water in storage from the Texas Water Development

Board; authorizing the Texas Water Development Board to contract with others owning facilities in same reservoir to operate and maintain the State's storage facilities and to pay for such services; authorizing the Texas Water Development Board to contract with political subdivisions or agencies of the State and with the United States and its agencies for the development and operation of recreational facilities at reservoirs in which the State has acquired storage facilities and providing for the use of income derived therefrom and authorizing the Legislature to make appropriations for developing and operating such recreational facilities; requiring approval by the Attorney General of Texas as to legality of any resolution or contract of the Texas Water Development Board relating to the acquisition and development of storage facilities, any sale, lease or transfer of acquired storage facilities, any sale of water impounded in acquired storage facilities and for the development and operation of recreational facilities; authorizing the Texas Water Development Board and the Texas Water Commission to promulgate rules and regulations which shall be approved by the Attorney General of Texas and filed with the Secretary of State; providing a repealing clause; prescribing a severability clause; and declaring an emergency."

To the Committee on Water and Conservation.

By Senator Colson:

S. B. No. 47, A bill to be entitled "An Act providing for the deposit of all revenues derived from easements on property under the control of the Department of Corrections, together with all revenue received by the Department of Corrections as damages to property under its custody and control, to the Special Mineral Fund of the Department of Corrections, created by the provisions of Senate Bill 354, Acts of the 52nd Legislature, Regular Session, 1951, chapter 325, page 556; and declaring an emergency."

To the Committee on Finance.

By Senator Owen:

S. B. No. 48, A bill to be entitled "An Act relating to and fixing minimum and maximum salaries of the official shorthand reporter for the 34th, the 41st, the 65th and the 120th

Judicial Districts of Texas; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Moore:

S. B. No. 49, A bill to be entitled "An Act repealing Article 886 of Title 11 of the Code of Criminal Procedure, 1925, which empowers justices of the peace to hold courts of inquiry; and declaring an emergency."

To the Committee on Jurisprudence.

By Senators Reagan, Schwartz and Bates:

S. B. No. 50, A bill to be entitled "An Act establishing and providing for a State mentally retarded school; regulating and providing for the operation of same, creating an Independent School District; and declaring an emergency."

To the Committee on State Affairs.

By Senator Moffett:

S. B. No. 51, A bill to be entitled "An Act regulating the distribution, sale, or transportation of insecticides, fungicides, rodenticides, defoliants, desiccants, plant regulators, nematocides, and other economic pesticides and devices; regulating traffic therein; providing for labeling, registration, and examination of such materials; defining certain terms; imposing penalties, and for other purposes; providing other provisions relating thereto; prescribing the powers and duties of the Commissioner of Agriculture including provision for his consultation with appropriate officials of certain organizations; providing a severability clause; repealing Chapter 98, Acts of the 48th Legislature, Regular Session, 1943, as amended, and all other conflicting laws to the extent of such conflict; and declaring an emergency."

To the Committee on Agriculture and Livestock.

By Senator Calhoun:

S. B. No. 52, A bill to be entitled "An Act amending Sections 2 and 9 of Acts, 53rd Legislature, Regular Session, Chapter 209, as amended (and codified as Sections 2 and 9 of Article 6701c-1 of Vernon's Civil Statutes); and declaring an emergency."

To the Committee on Transportation.

By Senator Cole:

S. B. No. 53, A bill to be entitled "An Act declaring strikes and collective bargaining by firemen and policemen to be against the public policy and to provide in all cities of more than ten thousand (10,000) inhabitants according to the last preceding federal census, for the setting up of local Commission of Arbitration which shall hear and determine grievances and disputes which may arise between the governing body of the city and its firemen or policemen; providing for the appointment of members to the Commission, the procedure for the Commission, and the effect of its decisions upon the parties involved; providing a penalty for the wilful violation of this Act; providing a savings clause; providing that this Act shall be cumulative; and declaring an emergency."

To the Committee on Counties, Cities and Towns:

By Senators Blanchard, Owen, Ratliff Hardeman, Rogers and Hazlewood:

S. B. No. 54, A bill to be entitled "An Act establishing and providing for a State mentally retarded school; regulating and providing for the operation of same; creating an Independent School District; and declaring an emergency."

To the Committee on State Affairs.

By Senator Blanchard:

S. B. No. 55, A bill to be entitled "An Act authorizing the commissioners courts of counties within the 121st Judicial District to pay certain amounts to the district judge of such district to defray certain necessary expenses; providing for severability; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Reagan:

S. B. No. 56, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article XVI, Constitution of Texas, to be known as "Port Mansfield Public Utility District"; prescribing its rights, powers, privileges, and duties; providing the District shall bear the sole expense of the relocation of certain facilities under the provisions of this Act; providing for its governing body; con-

taining provisions as to its taxes and its tax assessor and collector; containing provisions relating to addition of land; containing other provisions relating to the subject; providing a severability clause; and declaring an emergency."

To the Committee on Water and Conservation.

By Senator Bates:

S. B. No. 57, A bill to be entitled "An Act requiring identification signs on vehicles hauling citrus fruit in bulk and requiring that drivers of such vehicles have papers concerning the citrus fruit being hauled; providing for exemptions from such requirements; providing penalties for violations; repealing conflicting laws; providing for severability; providing an effective date; and declaring an emergency."

To the Committee on Transportation.

By Senator Harrington:

S. B. No. 58, A bill to be entitled "An Act to require registration with the Texas State Department of Health, Division of Veterinary Public Health, of any person, firm or corporation who shall slaughter cattle, calf, sheep, swine, goat, poultry or domestic rabbit for human consumption; authorizing the issuance of registration certificates; authorizing the charging of registration fees appropriating the use of fees to the Department; providing certain exceptions; providing for penalty for non-registration and declaring an emergency."

To the Committee on Agriculture and Livestock.

Report of Standing Committee

Senator Crump by unanimous consent submitted the following report:

Austin, Texas,
January 21, 1962.

Hon. Preston Smith, President of the Senate:

Sir: We, your Committee on Rules, to whom was referred S. C. R. No. 9, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

CRUMP, Chairman.

Senate Concurrent Resolution 9 Ordered Not Printed

On motion of Senator Crump and by unanimous consent, S. C. R. No. 9 was ordered not printed.

Senate Concurrent Resolution 9 On Second Reading

On motion of Senator Crump and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its Second Reading the following resolution:

S. C. R. No. 9, Adopting Joint Rules of the Senate and the House of Representatives for the 58th Legislature.

The resolution was read and was adopted by the following vote:

Yeas—27

Bates	Moffett
Blanchard	Owen
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Spears
Harrington	Strong
Hazlewood	Watson
Kazen	Word
Kennard	

Nays—3

Aikin	Krueger
Moore	

Absent—Excused

Herring

Senate Bills on First Reading

The following bills were introduced, read first time and referred to the committee indicated:

By Senator Calhoun:

S. B. No. 59, A bill to be entitled "An Act to improve enforcement of Chapter 314, Acts 1929, 41st Legislature, Regular Session, as heretofore amended, by the addition of a new Section to Section 16 of such act, more clearly defining "For Hire Transportation" and by increasing the minimum penalty for a violation of

such act, and declaring an emergency."

To the Committee on Transportation.

By Senator Spears:

S. B. No. 60, A bill to be entitled "An Act amending Chapter 125, of the 45th Legislature, 1937, as last amended by Chapter 275, Acts of the 55th Legislature, 1957 (compiled as Article 6243e, Vernon's Texas Civil Statutes), providing in all cities of less than 185,000 inhabitants according to the last preceding federal census, for a program of contributions and membership to the Firemen's Relief and Retirement Fund; providing for the investment of fund proceeds in certain cities; providing for the creation, appointment and duties of an Investment Advisory Committee in all cities; providing for the hiring of an actuary in cities with a population of 800,000 or less according to the last preceding federal census; providing a severability clause; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Creighton:

S. B. No. 61, A bill to be entitled "An Act clarifying, revising, and amplifying laws relating to general, special, and primary elections held by the State, by counties, cities, and other political subdivisions of the State, and by political parties; amending certain existing sections of the Election Code of the State of Texas, repealing certain sections, and adding new sections thereto, as follows: adding Section 1a, stating certain definitions and rules of construction; amending Section 3 relating to prescribing and furnishing of forms by the Secretary of State; amending Section 5, relating to ineligibility to be nominated for or elected or appointed to public office; repealing Section 8, relating to commencement of terms for certain state and district offices, and amending Article 17, Revised Civil Statutes of Texas, 1925, relating to commencement of terms for county and precinct offices, to include these state and district offices, and further amending Article 17 to state the time at which persons elected to unexpired terms may take office; amending Section 9 of the Election Code, relating to time and place of holding elections, and hours of vot-

ing; amending Sections 10, 12, and 13, relating to formation of election precincts for the various types of elections, and providing for consolidation of precincts for certain elections; amending Sections 15 and 16, relating to appointment of election judges and clerks, and service and duties of election officers, and providing rules applying to all general, special, and primary elections; amending Sections 17 and 18, relating to qualifications and disqualifications of election judges, clerks, and watchers (supervisors); amending Sections 19, 20, and 21, relating to appointment and service of watchers (supervisors); amending Section 22, relating to pay of election judges and clerks, and making its provisions apply to all elections; amending Section 33, relating to classes of persons not qualified to vote; amending Section 34, relating to qualification and requirements for voting; amending Section 37, relating to absentee voting, by amending Subdivision 1, setting out requirements and conditions for voting by personal appearance and by mail; by adding Subdivision 1a, stating the elections to which Section 37 applies and the officer to conduct absentee voting in each type of election; by amending Subdivision 2, setting out requirements for an application to vote absentee; by amending Subdivisions 3 and 4, and adding Subdivisions 3a and 3b, relating to period for absentee voting by personal appearance, procedures for absentee voting by personal appearance in county-wide elections and in certain elections less than county-wide, and period and procedures for absentee voting by mail; by amending Subdivision 5, relating to delivery of absentee ballots to election judges for counting, and disposition of late ballots; by amending Subdivision 6, relating to counting of absentee ballots by a special canvassing board and to appointment and compensation of board members; by amending Subdivisions 7 and 8, authorizing appointment of special canvassing boards in elections less than county-wide and further prescribing procedures for handling and counting absentee ballots in elections less than county-wide; by amending Subdivision 14, relating to branch offices for conducting absentee voting by personal appearance; by amending Subdivision 15, relating to assistance in marking absentee ballots, use of the English

language in absentee voting by personal appearance, and signatures of voters unable to sign their names because of illiteracy; by amending Subdivision 16, reducing the period for absentee voting in second primary elections; and by adding Subdivision 18, relating to electioneering near place where absentee voting is conducted; amending Section 40 of the Election Code, relating to rules on residence; amending Section 41, relating to liability to pay the poll tax and place of payment, abolishing the permissive tax levied by counties and substituting authority to levy a fee for collecting the state tax; also amending Article 2.01 of Title 122A, Taxation-General, of the Revised Civil Statutes of Texas, 1925, and Section 75 of the Election Code, to make similar changes relative to payment of the poll tax; amending Section 42 of the Election Code, relating to exemption from payment of the poll tax; amending Section 43, relating to modes for paying the poll tax; amending Section 44, transferring present provisions to other sections and adding provisions relating to modes for obtaining exemption certificates; amending Section 46, relating to form of the poll tax receipt, alien poll tax receipts, correction of errors in poll tax receipts and exemption certificates, procedures for voting where errors have not been corrected, and other related matters; amending Section 47, relating to requirements and procedures for voting following removal to another election precinct or county; amending Sections 54 and 199, relating to lists of qualified voters to be prepared and furnished by the county tax collector; adding Section 57a, relating to use of nicknames and titles on the ballot; amending Section 58, relating to loyalty affidavits required of candidates, making its provisions apply to candidates for all public offices, with certain exceptions, and making other provisions concerning time and place for filing affidavits; amending Section 60, relating to placing names of substitute nominees on the ballot upon death or declination of the original nominees; adding Section 61a, relating to the listing of candidates for precinct offices on the ballot and the furnishing of different ballots according to precinct; adding Section 61b, relating to the order of party columns on the ballot; adding Section 61c, relating to the order of

names of candidates on the ballot; adding Section 61d, relating to the form for listing office titles on the ballot in elections to fill unexpired terms; adding Section 61e, relating to correction of errors and use of pasters on ballots; amending Section 62, relating to the method of marking the ballot, voting for write-in candidates, and elections in which write-in votes are not permitted, and counting of ballots not marked in conformity with prescribed directions; amending Section 79 of the Election Code, relating to voting machines, by amending the following sections or subsections of Section 79; Section 2, setting out requirements of voting machines; Section 3, relating to adoption of voting machines by the commissioners court, the elections in which use of voting machines is mandatory after adoption, and optional use in other elections; Section 5, to delete provisions on formation of election precincts where voting machines are to be used; Sections 7 and 7a, relating to absentee voting in elections where voting machines are used at precinct polling places; Section 8, relating to form of ballots on voting machines, adding provisions authorizing the placing of uncontested races in a separate column to be voted on as a block, and making other changes; amending Section 10, relating to preparation of voting machines for use at elections, defining the officers required to perform the duties in the various types of elections, and making other changes; Section 12, prescribing procedures preliminary to opening the polls; Section 13, relating to procedure for accepting voters and conducting the voting at polling places; Section 17, relating to repair and substitution of machines, and payment thereof; Section 18, relating to procedures after the polls are closed, for recording the votes and reporting the results of the election; Section 19, relating to a recheck of the results shown on the counters of the machines; Section 20, relating to the period during which voting machines must remain locked after use at an election; Section 24, relating to appointment and compensation of election officers and to appointment, qualifications, and service of watchers at polling places where voting machines are used; and Section 25, containing definitions of certain terms as used in Section 79 of the Election Code; amending Sec-

tions 83 and 84 of the Election Code, relating to time for administration of oath to election judges and clerks, and duty hours of election officers, prescribing procedures preliminary to opening the polls at polling places where paper ballots are used, and making other provisions for conduct of the voting; amending Section 91, relating to challenge of a voter and procedure required for accepting the ballot of a challenged voter, and making acceptance mandatory where the procedure is complied with; amending Section 93, relating to signing of ballots by the presiding judge and delivery of ballots to voters, adding provisions authorizing use of facsimile signature, and making other changes; amending Section 95, relating to aid to voter and use of the English language at polling places; adding Section 95a, to permit election officers and voters to use another language and to permit service of interpreters; amending Section 97, relating to preparation of stub boxes for use in elections, the officers required to perform these duties in the various types of elections, custody of stub boxes and disposition of contents after the election, the signing, detachment and deposit of stubs by voters, and the counting of ballots where stubs are not detached or signed before deposit in the ballot box; amending Section 100, relating to defective, mutilated, and unused ballots, further defining what constitutes a mutilated ballot, and providing for preservation and disposition of the ballots after the election; amending Section 101, relating to deposit and counting of ballots; amending Section 104, relating to the placing of the name of a nominee on the ballot after death or declination where a substitute nomination is not made, and to the placing of names of deceased candidates on first and second primary ballots under certain circumstances; amending Section 105, to prohibit divulgence of names of voters by persons connected with the conduct of the election before closing of the polls; amending Section 109, changing the distance within which electioneering is prohibited near polling places, and amending Section 184, relating to enforcement of these provisions by presiding judges, to conform to this change; amending Section 111, relating to returns of elections held by the county, their preparation and signature, and the period

for retention by officers receiving them; adding Section 111a, providing rules for making returns, for canvass of the returns, custody of the keys to the ballot boxes containing voted ballots, and custody and disposition of the ballots and other records in the various types of elections; adding Section 111b, providing rules relating to the number of copies of returns, poll lists, and tally lists required, and the distribution and period for retention, in the various types of elections; amending Sections 112 and 113, relating to time for delivery of returns and unused election supplies; amending Section 114, relating to time for delivery of returns and voted ballots to the county clerk, the period for retention, and the destruction of ballots; amending Section 118, relating to issuance of certificates of election by the county judge, to delete provisions on issuance of certificates to members of the Legislature; amending Section 120, relating to canvass of election returns by the Secretary of State, to authorize preparation of a preliminary tabulation prior to the day of canvass; amending Sections 123 and 124, to provide for canvass of returns and issuance of certificates of election to members of the Legislature by the Secretary of State; adding Section 170a, defining parties entitled to nominate presidential elector candidates; amending Section 171, clarifying the effect of votes for candidates of a political party for President and Vice-President; amending Section 173, providing a deadline for certifying names of presidential elector candidates to the Secretary of State; amending Section 177, relating to filling of vacancies in the office of United States Senator or Congressman-at-Large, to correct certain dates to conform to present dates for holding primary elections; amending Section 179a, defining who are members of organized political parties, to correct certain dates to conform to present dates for holding primary elections; adding Section 185a, relating to deposits and fees which must accompany applications of candidates for a place on the ballot in primary elections; amending Section 186, relating to assessment of candidates by county executive committees to defray costs of primary elections, providing for payment of fixed filing fees by candidates for the State Board of Education, revising and clarifying pro-

visions relating to payments received by mail after the deadline, and making other changes to conform to changes in other sections of the Election Code; amending Section 186a, relating to assessment of candidates in counties having certain populations, to conform to changes in other sections of the Election Code; adding Section 186b, relating to refund of fees and assessments upon death or withdrawal of candidates in primary elections; adding Section 186c, relating to fees and assessments of write-in candidates in primary elections; amending Section 187, relating to the form of the primary ballot, clarifying that write-in votes are not permitted in a runoff primary, prohibiting write-in votes in a first primary under certain circumstances, and changing provisions relating to the manner of listing county of residence on the ballot; adding Section 189a, relating to ineligibility to run as an independent candidate or as the nominee of another party in the succeeding general or special election after participating in a primary election of a political party; amending Section 190, relating to application for a place on a primary ballot, clarifying the offices to which it applies, clarifying procedures where an application is filed by voters, eliminating provision for filing of applications for district offices with district chairmen, providing for filing of applications of candidates for Justice of the Court of Civil Appeals with the chairman of the state executive committee, revising and clarifying provisions relating to applications received by mail after the deadline, and adding provisions for filing of lists of candidates with the Secretary of State and the county clerks following close of the filing period; amending Section 191, relating to certification of candidates, to conform to changes made in Section 190; adding Section 190a, relating to nomination and election to fill an unexpired term at the general election where the vacancy in office arises too late for making nominations by regular nominating procedures, incorporating and revising present provisions of Section 60 on making nominations for state and district offices, adding provisions on making nominations for county and precinct offices, and providing when the vacancy is not to be filled at the next general election; amending Section 193, relating to filing fees for certain

offices, deleting provisions for the distribution of filing fees paid by candidates for Justice of the Court of Civil Appeals to county committees, revising and clarifying provisions relating to payments received by mail after the deadline, and making other changes to conform to changes in other sections of the Election Code; amending Section 196, relating to county executive committees, clarifying term of office, vote required for election, compensation of chairman and secretary, residence requirement for precinct chairmen, and effect of change in precinct boundaries on membership of the precinct chairman, adding provisions relating to proxies, revising and adding provisions relating to audit of the primary fund and distribution of the surplus, and making other changes to conform to changes in other sections of the Election Code; adding Section 196a, which incorporates and revises former provisions of Section 196 relating to district executive committees; amending Section 201, relating to time for delivery of returns and voted ballots in primary elections; amending Section 202, relating to making of returns and canvass of results of primary elections; amending Section 203, relating to canvass by the county executive committee; adding Section 204a, relating to withdrawal of a candidate in the second primary; amending Section 205, relating to canvass of primary election returns by the state executive committee; amending Section 211 relating to submission of platform demands to a referendum vote at the general primary election; amending Section 212, relating to county and precinct conventions, clarifying and adding provisions on precinct representation in county conventions, clarifying and revising provisions on eligibility to participate in conventions, prohibiting proxies at county conventions, fixing the hours within which precinct conventions shall be convened, changing provisions relating to delegate lists to state conventions, and changing the date for determining the hours and places for holding precinct and county conventions; amending Section 216, relating to state conventions, to clarify the political parties to which it applies and to correct the date for holding the convention to conform to Section 213 of the Election Code; amending Section 220a, relating to contests for the office of precinct chairman or

county chairman, to delete provisions for a recount of votes independently of an election contest; amending Sections 222, 223, 224, and 225, relating to nominations by parties casting less than 200,000 votes for Governor at the preceding general election, requiring that nominations of a party whose candidate for Governor received less than five per cent of the votes be supported by a petition of qualified voters, changing the date for decision by the state executive committee on whether nominations will be by convention or primary election, providing for nomination by the county convention for district offices of districts composed of only one county, fixing a deadline for certifying convention nominations, and supplying other deficiencies in the present law; amending Sections 227, 228, 229, and 230, relating to applications of independent candidates; amending Section 233, relating to filling the vacancy in a nomination upon death or declination of the nominee; amending Section 237, clarifying the offices to which campaign expenditure provisions apply, and making them apply to all public elective offices; amending Section 244 to provide the officers with whom statements of campaign contributions and expenditures are to be filed by candidates for offices of municipalities, school districts, and other political subdivisions; amending Section 243, relating to campaign contributions by corporations, to eliminate conflicts with provisions of the Texas Penal Code relating to the same subject, and to permit money-lending corporations to make loans to candidates in the regular course of business, subject to certain conditions; amending Section 246, relating to political advertising, to eliminate conflicts with provisions of the Texas Penal Code relating to the same subject, and to extend the prohibition against charging more than the regular advertising rate so as to include additional types of political advertising; also amending various articles of the Penal Code of Texas, 1925, as follows: amending Article 212, relating to pay for editorial matter for or against any candidate or proposition to be voted on at an election; amending Article 213, relating to campaign contributions by corporations, to make the penalty conform to Section 243 of the Election Code; amending Article 217, relating to refusal of an election judge to per-

mit a voter to vote, to make its provisions conform to related provisions in the election code; amending Article 217, relating to illegal assistance to a voter in preparing his ballot, to make its provisions conform to related provisions in the Election Code; amending Article 240, prohibiting participation in primary elections or conventions of more than one party during the same election year; amending Article 250, relating to destruction of ballots after expiration of the period for which they must be preserved, to make its provisions conform to related provisions in the Election Code; and amending Article 259, relating to electioneering near polling places, to make its provisions conform to related provisions in the Election Code; also amending Articles 980 and 989 of the Revised Civil Statutes of Texas, 1925, relating to certain elections for city officers, to make the general laws pertaining to these matters apply to the conduct of the elections; amending Section 1 of Chapter 262, Acts of the 55th Legislature, Regular Session, 1957, as amended (Section 1 of Article 2745c, Vernon's Revised Civil Statutes of Texas, 1925), relating to elections for school trustee, to delete provisions relating to absentee voting in these elections, which have been revised and incorporated into amendments to the Election Code contained in this Act; repealing the following sections of the Texas Election Code: Sections 8, 30, 80, 92, 115, 126, 183, 188, 206, and 214, and Section 22 of Section 79 and Section 5 of Section 107; also repealing Articles 211, 214, and 224 of the Penal Code of Texas, 1925; also repealing the following statutes: Section 2 of Chapter 183, General Laws of the 42nd Legislature, Regular Session, 1931 (Article 194a, Vernon's Revised Civil Statutes of Texas, 1925); Section 2 of Chapter 256, Acts of the 57th Legislature, Regular Session 1961 (Section 2 of Article 195, Vernon's Revised Civil Statutes of Texas, 1925); Articles 981, 982, 984, 985, and 986 of the Revised Civil Statutes of Texas, 1925; Section 1a of Chapter 320, Acts of the 56th Legislature, Regular Session, 1959, as added by Chapter 440, Acts of the 57th Legislature, Regular Session 1961 (Section 1a of Article 2745c, Vernon's Revised Civil Statutes of Texas, 1925); Article 2943 of the Revised Civil Statutes of Texas, 1925, as

amended; Section 1 of Chapter 228, General Laws of the 43rd Legislature, Regular Session, 1933, as amended (Article 3026a, Vernon's Revised Civil Statutes of Texas, 1925); and Section 1 of Chapter 327, Acts of the 52nd Legislature, 1951, (Article 3116g, Vernon's Revised Civil Statutes of Texas, 1925); repealing all other laws in conflict; providing for nonapplicability of the Act to elections ordered before its effective date; providing for severability; and declaring an emergency.

To the Committee on Privileges and Elections.

By Senator Patman:

S. B. No. 62, A bill to be entitled "An Act amending Chapter 22, Acts of the 56th Legislature, Third Called Session, 1959, relating to the Jackson County Flood Control District by adding a new section thereto authorizing the District to exercise all powers, rights, privileges, and functions which are now, or hereafter may be, conferred by General or Special Law upon Water Improvement Districts and Water Control and Improvement Districts created pursuant to Section 59 of Article XVI of the Constitution of Texas; and declaring an emergency."

To the Committee on Water and Conservation.

By Senator Parkhouse:

S. B. No. 63, A bill to be entitled "An Act amending Chapter II, Article 4; Chapter III, Article 4; Chapter III, Article 5; Chapter V, Article 4; Chapter IX, Article 3; and Chapter IX, Article 8 of The Texas Banking Code of 1943, same being Chapter 97, Acts of the 48th Legislature, Regular Session, 1943, and amending Chapter V of The Texas Banking Code of 1943, same being Chapter 97, Acts of the 48th Legislature, Regular Session, 1943, by adding a new article designated as Article 9a; providing for the appointment of bank examiners; for perpetual corporate existence for state banks; for the investigation of charter applications for the State Banking Board and payment of expenses thereof; for real estate loans, limitations and exceptions; authorizing bank stockholders and employees to take acknowledgments of instruments in which the bank is interested; defining "banking house"; providing for equal application of state law

to state and national banks; providing for severability; providing that all laws or parts of laws, including specifically the provisions of Chapter 24, Article I, Section 1, Acts of the 57th Legislature, 1st Called Session, 1961, and the provisions of Chapter 1, Section 1, Acts of the 56th Legislature, 3rd Called Session, 1959, as amended, which are in conflict with this Act are repealed or modified to the extent of such conflict only; and declaring an emergency.

To the Committee on Banking.

By Senator Bates:

S. B. No. 64, A bill to be entitled "An Act providing for the licensing of clinical laboratories and clinical laboratory directors through the Texas State Health Department; defining certain terms; providing for renewal of license; prescribing the form of application; establishing standards; providing for examination; authorizing establishment of rules and regulations; providing for judicial review; declaring information confidential providing certain fees; making an appropriation; authorizing employment of personnel; providing exemptions; providing penalty for violation of this Act; establishing regulation; a savings clause; providing for severability and declaring an emergency."

To the Committee on Public Health.

By Senators Harrington and Hazlewood:

S. B. No. 65, A bill to be entitled "An Act relating to professional sanitarians; providing for the establishment of a State Board of Registration for Professional Sanitarians; and prescribing its powers, duties and functions; dealing with qualifications; appointment, removal, compensation and expenses of members thereof; providing for registration of professional sanitarians and sanitarians in training, and for issuance, renewal, revocation and reinstatement of certificates of registration, and fixing fees therefor; providing for expenditure of funds collected under provisions of the Act and fixing purposes for which such funds may be used; prohibiting use of the title or designation of "sanitarian" in any public or private employment in this State unless the person employed is registered hereunder and providing a penalty for violation;

providing for severability; and declaring an emergency."

To the Committee on State Affairs.

By Senator Reagan:

S. B. No. 66, A bill to be entitled "An Act amending Section 4 of Chapter 17, Acts of the 46th Legislature, Regular Session, 1939, General Laws Vol. page 246, as amended, (compiled as Section 4 of Article 567b, Vernon's Texas Penal Code) to provide that punishment for a violation upon a first conviction shall be a fine not exceeding Two Hundred Dollars (\$200) in the event the check, draft or order is Twenty-five Dollars (\$25) or less; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Spears:

S. B. No. 67, A bill to be enacted "An Act to amend Section 89 of Article XI, Acts 50th Legislature, Regular Session, 1947, Chapter 421, page 967; repealing all laws and parts of laws in conflict, and declaring an emergency."

To the Committee on State Affairs.

By Senator Parkhouse:

S. B. No. 68, A bill to be entitled "An Act amending Acts 1923, 38th Legislature, 2nd Called Session, Chapter 47, page 101, codified as Article 1440, Vernon's Annotated Civil Statutes, and also codified as Article 1054, Vernon's Annotated Penal Code."

To the Committee on Oil and Gas.

By Senator Reagan:

S. B. No. 69, A bill to be entitled "An Act amending Section 3a, Chapter 358, Acts of the 56th Legislature, 1959, (compiled as Section 3a, Article 582-1 of Vernon's Texas Civil Statutes) to provide state banks with the authority to guarantee signatures on transfers of securities held in a fiduciary capacity; and declaring an emergency."

To the Committee on Banking.

By Senator Reagan:

S. B. No. 70, A bill to be entitled "An Act amending Article 6698 of the Revised Civil Statutes of Texas, 1925, as last amended by Chapter 302, Acts of the 50th Legislature, 1947, to decrease the city permit fee or street rental charge which may be charged by incorporated cities or towns for the operation of each motor vehicle trans-

porting passengers for hire other than motor vehicles operating under a permit or certificate of the Railroad Commission of the State of Texas, or the Interstate Commerce Commission, and making such amended Article No. 6698 applicable to all contracts, agreements or franchises presently in existence, and all such contracts, agreements or franchises hereafter made between any incorporated city or town and the owners or operators of motor vehicles transporting passengers for hire; repealing certain laws; providing for severability; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

Message from the Governor

The following message received from the Governor today was read and was referred to the Committee on nominations:

Austin, Texas,
January 21, 1963.

To the Senate of the Fifty-eighth Legislature:

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

To be Presiding Judge of the Eighth Administrative Judicial District: Louis T. Holland Jr. of Montague, Montague County.

Respectfully submitted,
JOHN CONNALLY,
Governor of Texas.

Meeting of Committee on Nominations

On motion of Senator Schwartz and by unanimous consent the Committee on Nominations was granted permission to meet while the Senate was in session.

Senate Bills and Resolutions on First Reading

The following bills and resolutions were introduced, read first time and referred to the committees indicated:

By Senator Parkhouse:

S. B. No. 71, A bill to be entitled "An Act amending Section 3 of Chapter 42, Acts Second Called Session, Forty-first Legislature, as heretofore amended by the addition of a new subsection thereto, providing that it shall be lawful (as to length) to operate over the highways and roads a com-

bination of vehicles designed and used exclusively for the transportation of automobiles, trucks, and buses where the length of such combinations does not exceed sixty (60) feet and no trailer or semi-trailer in such combination exceeds the length of forty (40) feet, provided that it shall be unlawful to operate over the highways and roads combinations or trailers in excess thereof; provided that nothing herein shall alter, amend, or repeal any laws authorizing or providing for special permits for length in excess of those provided in this Act; provided that the limitation herein shall not apply to combinations of vehicles when disabled and being towed by another vehicle to the nearest intake place for repair, and declaring an emergency."

To the Committee on Transportation.

By Senator Reagan:

S. B. No. 72, A bill to be entitled "An Act amending Section 34 of the Texas Motor Vehicle Safety-Responsibility Act, Chapter 498, Acts of the 52nd Legislature, 1951, codified in Vernon's as Article 6701h, Sec. 34, to provide that any person qualifying as a self-insurer shall not be required to have insurance or furnish security or any other form of assurance by any county or incorporated city or town for the operation of any motor vehicles therein belonging to such person; repealing certain laws; and declaring an emergency."

To the Committee on Insurance.

By Senator Moore:

S. B. No. 73, A bill to be entitled "An Act authorizing and empowering the Board of Directors of the Agricultural and Mechanical College of Texas, acting by the Chancellor of The Texas Agricultural and Mechanical College System, in consideration of the value to be determined by appraisers, to execute and deliver a deed to certain land in Angelina County to the Hudson Independent School District of Angelina County, which said land is a part of the land under control of the Texas Agricultural Experiment Station, an agency under the supervision of said Board of Directors, providing for the exception from said conveyance and reservation unto said Board of Directors of all fissionable materials and all oil, gas, and other minerals of whatsoever nature upon, in, or under said land; providing that

said Board of Directors may reserve any right of way easement necessary to give it access to other lands under its control in the vicinity of the land to be conveyed; providing for the aforesaid appraisers; providing for deposit to local funds of the Texas Agricultural Experiment Station to the credit of East Texas Pastures Investigations Laboratory, to be expended for the restoration, operation and improvement of the remaining land and appraisal expenses, the monetary consideration received for the land to be conveyed; providing for approval of the form of such conveyance by the Attorney General; and declaring an emergency."

To the Committee on State Affairs.

By Senator Parkhouse:

S. B. No. 74, A bill to be entitled "An Act authorizing an eligible city, as defined therein, upon the adoption of the provisions hereof, to provide for the construction of improvements to the water and sewer systems, either or both, and the construction of street improvements under certain circumstances and conditions and to assess a part of the cost of such improvements against benefited or abutting property and the owners thereof, and as to street improvements authorizing the levy or a special tax against railway, street railway or interurban using, occupying or crossing any street in certain instances; providing procedures in connection with such assessment program and for the enforcement and collection of such assessments; prescribing the effect of certificates of special assessment and that same shall be legal and authorized investments in certain instances; providing that the provisions of the act shall be cumulative of existing laws and charter provisions and that the act shall be liberally construed to effect its purpose; providing a severance clause, enacting other provisions incident and related to subject matter and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Parkhouse:

S. B. No. 75, A bill to be entitled "An Act relating to the creation of Padre Island National Seashore containing a severability clause and declaring an emergency."

To the Committee on State Affairs.

By Senator Watson:

S. B. No. 76, A bill to be entitled "An Act amending Section (S) of Article 20.01 of Chapter 20, Title 122A, Revised Civil Statutes of Texas, 1925, as amended, by redefining the term "Sale for Resale" as used therein; repealing laws in conflict; providing a severability clause; and declaring an emergency."

To the Committee on State Affairs.

By Senator Owen:

S. B. No. 77, A bill to be entitled "An Act relating to and fixing minimum and maximum salaries of the official shorthand reporters in each of the county courts at law, civil and criminal in El Paso County, Texas; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Owen:

S. B. No. 78, A bill to be entitled "An Act abolishing the office of county superintendent in all counties in this State having a population of not less than three hundred thousand (300,000) nor more than three hundred and fifty thousand (350,000); providing that the duties of county superintendents on the effective date of this Act shall be performed by the county judges of such counties; providing compensation for the duties of such county judges; repealing all laws and parts of laws that conflict herewith; and declaring an emergency."

To the Committee on Education.

By Senator Watson:

S. B. No. 79, A bill to be entitled "An Act amending Subsection (1) of Article 6.01 of Chapter 6, Title 122A, Revised Civil Statutes of Texas, 1925, by increasing the rate of the retail sales tax on motor vehicles; amending Article 6.03 of Chapter 6, Title 122A, Revised Civil Statutes of Texas, 1925, by increasing the rate of the use tax on motor vehicles; amending Article 6.05 of Chapter 6, Title 122A, Revised Civil Statutes of Texas, 1925, by defining certain terms used therein; repealing all laws in conflict; providing a severability clause; and declaring an emergency."

To the Committee on State Affairs.

By Senator Moore:

S. B. No. 80, A bill to be entitled "An Act authorizing the governing

boards of the State Institutions of Higher Learning, as State agencies, which are, or will be constructing and operating atomic energy reactors, or otherwise performing experiments in the field of nuclear science, in cooperation with and licensed by the Atomic Energy Commission, or its successor in function, to purchase liability insurance in any amount not to exceed \$250,000 and to pay the premium therefor from any funds appropriated for that purpose, providing that the defense of sovereign immunity shall not be available to or asserted by the insurer in any claim against it or in any cause of action arising therein or growing out of a nuclear incident; and declaring an emergency."

To the Committee on Insurance.

By Senator Watson:

S. B. No. 81, A bill to be entitled "An Act amending Section (a) and repealing the first paragraph of Section (b) of Article 6686 of the Revised Civil Statutes of Texas, 1925, as amended, relating to dealer's and manufacturer's license plates for their un-registered motor vehicles, motorcycles, house trailers, trailers, or semi-trailers; defining the terms "dealer" and "manufacturer"; limiting the use of manufacturer's test plates to new vehicles; providing for dealers to issue dated cardboard tags to buyers; specifying a validity time period for each buyer's tag so issued; providing for the form, color, and specifications of such buyer's cardboard tag to be prescribed by the Department; prohibiting the issuance of successive buyer's cardboard tags for same vehicle; placing the responsibility for the safe-keeping and for the distribution of all cardboard tags; placing the responsibility for showing certain information in ink on the buyer's cardboard tag; providing for the issuance of dealer's cardboard tags for the operation of un-registered vehicles owned by such dealers; providing for the form, color, and specifications of such dealer's tag to be prescribed by the Department; exempting certain vehicles from inspection; specifying the Department's authority to cancel dealer's or manufacturer's license plates for just cause; providing for dealers and manufacturers to submit upon demand certain pertinent information; providing under certain conditions for the surrender of dealer's and manufacturer's license plates in-

cluding all facsimile cardboard tags thereof; prohibiting the use of dealer's or manufacturer's license plates on certain vehicles and providing an exemption thereto; providing for applications for dealer's and manufacturer's license plates and specifying the fees therefor; authorizing the Department to examine certain papers relative to all vehicles owned or controlled by dealers; defining the terms "vehicle" and "Department"; specifying that out of state license plates must be immediately removed from vehicles purchased by dealers; authorizing the promulgation of reasonable rules and regulations; providing for dealers and manufacturers to notify the Department within ten (10) days of a change of address; providing for the display of dealer's license plates; prohibiting the unauthorized production of cardboard tags; providing for a penalty; repealing laws in conflict; and providing for severability."

To the Committee on Transportation.

By Senator Owen:

S. B. No. 82, A bill to be entitled "An Act creating Permian State College of Technology at Odessa, Texas, providing that the organization, management and control of said College shall be vested in a Board of Regents of nine members to be appointed by the Governor of the State of Texas; empowering the Board of Regents to appoint and to remove the President; any faculty member or other officer or employee of the College, upon the advice and recommendation of the President of said College, when it deems such appointment or removal necessary to the best interests of the College, and to fix the salaries and prescribe the duties thereof by written order; providing for offering courses of higher learning in the arts and sciences, in fine arts, in business administration and in teacher training; providing for offering courses in engineering; establishing a standard four-year course for said College; providing for the awarding of bachelor's degrees; providing that higher degrees may be offered only on recommendation of the Board of Regents, with the approval of The Texas Commission on Higher Education; providing for two year programs in technical education in such fields as recommended by the Board of Regents, with the approval of the Tex-

as Commission on Higher Education; providing for special, short, terminal, and vocational courses; providing for the transfer, gift and donation of all the assets, corporeal properties and facilities of the Odessa Junior College District, to the Board of Regents or its successors, of the Permian State College of Technology, herein created on September 1, 1965, or as soon thereafter as possible, free and clear of any indebtedness or indebtednesses, encumbrance or encumbrances of any kind and authorizing the Board of Regents herein created to accept such assets, corporeal properties and facilities; providing for the Board of Regents to accept donations, gifts and endowments; vesting the management and control of the lands and minerals of the College in the Board of Regents; authorizing and directing the Board of Regents to prescribe fees, rentals and charges for use of the facilities of the Permian State College of Technology and for reporting thereof; authorizing the Board of Regents to enter into contracts with the Department of Defense of the United States to establish and maintain courses in military training, for credit thereof, under certain conditions; providing authority for the Board of Regents to issue revenue bonds or obtain loans for the construction of dormitories, dining halls and student union buildings, such bonds and loans to be secured by income from rentals and services; providing for the construction of classrooms, laboratories, other facilities and equipment for the use of Permian State College of Technology through the issuance of revenue bonds or loans, such bonds or loans to be secured by the dedication of all or part of the income from tuition to be paid by students of the College; providing for the continuance and observation of all existing contracts having been entered in between the Board of Regents of Odessa Junior College District and individuals, organizations, corporations and foundations; providing a severability clause; and an emergency clause."

To the Committee on Education.

By Senator Watson:

S. B. No. 83, A bill to be entitled "An Act amending Paragraph (i) of Section 1 of Chapter 314, Acts of the 41st Legislature, Regular Session, 1929, as added by Chapter 442, Acts of the 47th Legislature, Regular Ses-

sion, 1941, as amended, compiled as Section 1 of Article 911b, Vernon's Texas Civil Statutes, so as to exclude certain wrecker vehicles from the term "specialized carrier"; repealing all laws in conflict; providing for a severability; and declaring an emergency."

To the Committee on Transportation.

By Senator Owen:

S. B. No. 84, A bill to be entitled "An Act amending Section 14 of Chapter 120, Acts Regular Session 44th Legislature, page 318, as amended, Acts 1947, 50th Legislature, page 1059, Chapter 453, Section 2, codified as Section 14 of Article 6008, Vernon's Annotated Civil Statutes; and declaring an emergency."

To the Committee on Oil and Gas.

By Senator Watson:

S. B. No. 85, A bill to be entitled "An Act to revise and codify the laws relating to the profession of funeral directing and embalming; setting forth the powers and duties of the State Board of Morticians; providing for licensure of funeral directors; embalmers and funeral establishments; providing for apprenticeship for funeral directors and embalmers; providing for loss or destruction of license and duplicate license; providing for reciprocity; providing for examination; providing for disposition of fees and compensation of members of the Board; providing that none of the expense of such Board shall become an expense to the State of Texas; providing for refusal to admit certain persons to examination; providing for revocation, cancellation, or suspension of license; providing that current license under the present law be validated; providing that no person shall embalm or practice embalming and/or act as a funeral director without license therefor; fixing a penalty for the violation of any provision of this Act; providing for definition of terms used herein; providing a saving clause; repealing Chapter 251, Acts of the 53rd Legislature, Regular Session, 1953, codified as Article 4582b, Title 71, Chapter 12, Revised Civil Statutes of Texas, 1925, and all other laws and parts of laws in conflict herewith; and declaring an emergency."

To the Committee on State Affairs.

By Senator Schwartz:

S. B. No. 86, A bill to be entitled "An Act authorizing the Board for Texas State Hospitals and Special Schools to determine the amount of land excess to the needs of the operation of the Moody State School for Cerebral Palsied Children; to sell and convey same; and declaring an emergency."

To the Committee on State Affairs.

By Senator Hardeman:

S. B. No. 87, A bill to be entitled "An Act amending Chapter 490 of the Acts of the 47th Legislature, Page 788 of the Session Laws of the Regular Session of 1941, known as Article 1436b of the Penal Code of the State of Texas, by amending Section 3 thereof and adding a new section to be known as Section 3a providing that any person in any county of this State with more than one pound of mercury in his possession and who has not in his possession a bill of sale or other written evidence of title shall be guilty of a felony; providing penalties for violation of the terms of the Act; providing that it shall be a defense for defendant to show that he is engaged in the business of mining or processing mercury or can show that the mercury is an integral part of a tool, instrument, or device used for a beneficial purpose; providing that in any complaint, information or indictment it shall not be necessary to negative any exception, excuse, exemption or defense, and the burden of proof thereon shall be upon the defendant; and declaring an emergency."

To the Committee on Jurisprudence.

By Senators Richter, Spears, Moore, Patman, Bates, Rogers, Hardeman, Owen, Cole, Ratliff, Calhoun, Blanchard, Kazen, Krueger, Harrington, Word, Hall, Moffett, Strong, Dies, Reagan, Watson and Schwartz:

S. B. No. 88, A bill to be entitled "An Act creating the Governor's Committee on Education Beyond the High School for the study of the needs of public and private education beyond the high school in this State and the formulation and recommendation of a comprehensive coordinated system of programs and facilities in education beyond the high school; setting a termination date for its work; provid-

ing for severability; and declaring an emergency."

To the Committee on Education.

By Senator Rogers:

S. B. No. 89, A bill to be entitled "An Act regulating the operation of disposal plants or rendering plants and all equipment used therewith; authorizing the Texas Animal Health Commission to inspect and license such plants; providing procedures for the granting and revoking of licenses; providing for judicial review; providing for the restraining of plant operations; providing for the venue of certain actions; providing for representation of the Commission by the Attorney General or county attorney or district attorney; providing penalties for violations; providing for severability; providing a saving clause; repealing all laws in conflict; and declaring an emergency."

To the Committee on Agriculture and Livestock.

By Senator Rogers:

S. B. No. 90, A bill to be entitled "An Act authorizing and providing for the purchase of educational motion picture films by the State Board of Education for the use and benefit of the Texas public school system; providing for a complete system for the distribution of such films by Film Service Centers pursuant to certain minimum standards as established by the State Board of Education; setting out the procedure for the creation of a State and various local film selection committees; providing for financing of the purchase of such films as an additional item of cost paid out of the Foundation School Fund; providing matching funds from local sources and prescribing the expenditure of such funds; providing a severability saving clause and the effective date of this Act; and declaring an emergency."

To the Committee on Education.

By Senator Bates:

S. B. No. 91, A bill to be entitled "An Act authorizing establishment of Rehabilitation districts to provide education, training, special services and guidance for handicapped persons; providing for its financing and administration; and declaring an emergency."

To the Committee on Finance.

By Senators Moore, Harrington and Patman:

S. J. R. No. 10, Proposing an Amendment to Section 51a of Article III of the Constitution of the State of Texas by adding a new Subsection to be known as 51a-2; giving the Legislature the power to provide, under such limitations and restrictions as may be deemed by the Legislature expedient, for direct or vendor payments for medical care on behalf of individuals sixty-five (65) years of age or over who are not recipients of Old Age Assistance and who are unable to pay for needed medical services; providing for the acceptance of financial aid from the Government of the United States for such medical payments; providing that the amounts paid out of State funds shall never exceed the amount that is matchable out of Federal funds for such purposes; providing for the necessary election, form of ballot, proclamation, and publication.

To the Committee on Constitutional Amendments.

Co-Authors of Senate Bill 12

On motion of Senator Patman and by unanimous consent Senators Owen and Herring will be shown as co-authors of S. B. No. 12.

Additions to Standing Committee on Counties, Cities and Towns

Pursuant to the provisions of S. R. No. 24 previously adopted by the Senate, the President announced the appointment of the following as additional members to the Committee on Counties, Cities and Towns:

Senators Bates, Blanchard, Calhoun and Ratliff.

Message from the Chief Justice of the Supreme Court of Texas

The following message received from the Chief Justice of the Supreme Court was read and referred to the Committee on Nominations:

Austin, Texas,
January 14, 1963.

Mr. Charles Schnabel
Secretary of the Senate
State Capitol
Austin, Texas

Dear Mr. Schnabel

Under authority conferred upon me as Chief Justice of the Supreme Court

of Texas by Section XI, Article IV of the Constitution, I hereby appoint Pat Bullock of Colorado City, Mitchell County, Texas, to be a member of the Board of Pardons and Paroles for a term of six years beginning February 1, 1963 and ending January 31, 1969, and I ask the advice and consent of the Senate of Texas in confirmation of such appointment.

Respectfully yours,
ROBERT W. CALVERT

Messages from Governor

The following messages received from Governor Price Daniel were read and were referred to the Committee on Nominations:

Austin, Texas,
January 8, 1963.

To the Senate of the Fifty-eighth Legislature:

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

To be Labor Member of the Texas Employment Commission, for a six-year term to expire November 21, 1968: J. E. (Ed) Lyles of Mart, McLennan County.

Respectfully submitted,
PRICE DANIEL
Governor of Texas

Austin, Texas,
January 8, 1963.

To the Senate of the Fifty-eighth Legislature:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be Branch Pilots for the Port Aransas Bar, Corpus Christi Bay and Tributaries: For two-year terms to expire March 26, 1964: Robert J. Haywood, Jr., of Corpus Christi, Nueces County; John O. Teller of Corpus Christi, Nueces County. For a two-year term to expire April 16, 1964: Anton Thomas Mathews of Corpus Christi, Nueces County. For a two-year term to expire May 31, 1964: Frederick J. Herbert of Corpus Christi, Nueces County. For a two-year term to expire June 1, 1964: John Frederick Mathisen of Corpus Christi, Nueces County. For a two-year term to expire November 19, 1964: Philip R. Rickey of Corpus Christi, Nueces County.

To be Branch Pilots for the Brazos River and Bar, for two-year terms

to expire November 29, 1964: Alvin A. Miller of Freeport, Brazoria County; Kenneth Gonzales of Freeport, Brazoria County.

To be Branch Pilots for the Brazos-Santiago Pass, Bar and Tributaries: For a two-year term to expire August 8, 1964: Stanley E. Ridley of Brownsville, Cameron County. For a two-year term to expire January 10, 1965: Joseph A. Kelly of Brownsville, Cameron County.

To be Branch Pilots for the Galveston Bar and Houston Ship Channel: For two-year terms to expire March 5, 1964: Lewis Bennett of Houston, Harris County; Curtis W. Burlison of Houston, Harris County; Paul A. Galler of Houston, Harris County; Fred A. Parker of Houston, Harris County; Jack E. Rowland of Houston, Harris County; W. W. Steinhart of Houston, Harris County; J. C. Wall of Houston, Harris County. For a two-year term to expire March 19, 1964: Arthur S. Borup of Houston, Harris County. For two-year terms to expire April 2, 1964: A. T. Gibson of Houston, Harris County; R. D. Moss of Houston, Harris County; Philip Pizzitola of Houston, Harris County; Jack Vetter of Houston, Harris County; Harold B. Willis of Houston, Harris County. For a two-year term to expire May 7, 1964: L. R. Murray, Jr., of Houston, Harris County. For two-year terms to expire June 23, 1964: Zane Skinner of Houston, Harris County; R. S. Aguillard of Houston, Harris County. For a two-year term to expire September 7, 1964: John B. Niday, Jr., of Houston, Harris County.

To be Branch Pilots for the Ports of Galveston and Texas City: For two-year terms to expire March 6, 1964: Richard C. McMains of Galveston, Galveston County; Charles H. Teller of Galveston, Galveston County. For two-year terms to expire April 25, 1964: William J. Thuerwachter of Galveston, Galveston County; George W. Davis of Galveston, Galveston County. For a two-year term to expire September 10, 1964: Kent O. Barton of Galveston, Galveston County.

To be Branch Pilots for the Sabine Bar, Pass and Tributaries: For a two-year term to expire February 2, 1964: G. Rodney Robinson of Port Arthur, Jefferson County. For two-year terms to expire March 1, 1964: A. R. Bellgard of Port Arthur, Jefferson Coun-

ty; H. H. Guidry of Port Arthur, Jefferson County; G. C. Reeser of Port Arthur, Jefferson County. For two-year terms to expire April 2, 1964: D. A. Blanchard of Port Arthur, Jefferson County; C. C. Grant of Port Arthur, Jefferson County; L. O. Hodges of Port Arthur, Jefferson County; Bert Jackson of Port Arthur, Jefferson County. For a two-year term to expire April 16, 1964: A. Glenn Wortham of Port Arthur, Jefferson County. For two-year terms to expire December 4, 1964: Willard M. Carroll of Port Arthur, Jefferson County; Aubrey M. Castle, Jr. of Port Arthur, Jefferson County; Surrey B. Ellis of Port Arthur, Jefferson County; James R. Livingston of Port Arthur, Jefferson County; Ollie E. Moore of Port Arthur, Jefferson County; Victor E. Sanford of Port Arthur, Jefferson County; L. S. Tibbetts of Port Arthur, Jefferson County; T. I. Truitt of Port Arthur, Jefferson County.

To be Branch Pilots for the Galveston Bar and Houston Ship Channel, for two-year terms to expire December 3, 1964: T. E. Longino of Houston, Harris County; W. C. Nixon of Houston, Harris County; Neill W. Ray of Houston, Harris County.

Respectfully submitted,
PRICE DANIEL
Governor of Texas

Austin, Texas,
January 8, 1963.

To the Senate of the Fifty-eighth Legislature:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be Associate Justice of the Court of Civil Appeals for the Fourth Supreme Judicial District, to fill the unexpired term of Judge Hunter Barrow, deceased: Charles W. Barrow of San Antonio, Bexar County.

To be Presiding Judge of the First Administrative Judicial District: Dallas A. Blankenship of Dallas, Dallas County.

To be District Attorney of the First Judicial District, to fill the unexpired term of W. E. Carroll, resigned: Floyd Addington of Jasper, Jasper County.

To be District Judge of the Third Judicial District, to fill the unexpired term of Judge V. M. Johnston, re-

signed: Thomas H. Stilwell of Palestine, Anderson County.

To be District Judge of the Third Judicial District, to fill the unexpired term of Jack Hardee, resigned: Mack Wallace of Athens, Henderson County.

To be District Judge of the 17th Judicial District, to fill the unexpired term of Judge Jack M. Langdon, resigned: Charles J. Murray of Fort Worth, Tarrant County.

To be District Judge of the 45th Judicial District, to fill the unexpired term of Judge Charles W. Barrow, resigned: Robert R. Murray of San Antonio, Bexar County.

To be District Judge of the 109th Judicial District, to fill the unexpired term of Judge G. C. Olsen, deceased: Russell D. Austin of Andrews, Andrews County.

To be District Attorney of the 112th Judicial District, to fill the unexpired term of Connell Ashley, resigned: Dixon Mahon of Ozona, Crockett County.

To be Judge of the Domestic Relations and Juvenile Court of Galveston County: James A. Piperi of Galveston, Galveston County.

To be Criminal District Attorney of Jefferson County, to fill the unexpired term of Ramie Griffin, resigned: W. C. Lindsey of Port Neches, Jefferson County.

To Be Criminal District Attorney of Polk County, to fill the unexpired term of Claude Ray Bailey, resigned: Samuel W. Freas of Livingston, Polk County.

Respectfully submitted,
PRICE DANIEL,
Governor of Texas.

Austin, Texas,
January 8, 1963.

To the Senate of the Fifty-eighth Legislature:

I ask the advice, consent, and confirmation of the Senate with respect to the following appointments:

To be members of the Texas State Board of Public Accountancy, for six-year terms to expire September 4, 1967: Robert H. Taylor of Houston, Harris County; L. E. Tennison of Clifton, Bosque County; Walter R. Flack of San Antonio, Bexar County.

To be members of the Texas Commission on Alcoholism: for six-year terms to expire June 9, 1967: W. J. Barnes of Houston, Harris County; Dr. Walter C. Goddard of Austin, Travis County. To fill the unexpired term of Macon W. Freeman, resigned, term to expire June 9, 1965: Edward M. Hudson of Tyler, Smith County.

To be members of the Texas Board of Architectural Examiners, for six-year terms to expire July 21, 1967: Daniel Boone of Abilene, Taylor County; C. Herbert Cowell of Houston, Harris County.

To be members of the Board of Directors of Texas College of Arts and Industries: for six-year terms to expire August 31, 1967: Lewis W. Maples of Kingsville, Kleberg County; C. C. Winn of San Antonio, Bexar County; Leo J. Welder of Victoria, Victoria County. To fill the unexpired term of Dr. Harvey Renger, resigned, term to expire August 31, 1963: Robert C. Eckhardt of Kingsville, Kleberg County (deceased). To fill the unexpired term of Robert C. Eckhardt, deceased, term to expire August 31, 1963: J. H. West of Bishop, Nueces County.

To be members of the State Board of Barber Examiners: for a six-year term to expire May 19, 1967: C. D. McKnight of San Antonio, Bexar County. To fill the unexpired term of Egbert H. Cofield, resigned, term to expire May 19, 1963: A. C. Roberts of Austin, Travis County.

To be members of the Battleship Texas Commission: for six-year terms to expire May 26, 1967: Lloyd Gregory of Houston, Harris County; Joseph B. Hutchison of Arlington, Tarrant County; C. H. Cofield of Houston, Harris County. To fill the unexpired term of Mrs. Albert E. Hudspeth, deceased, term to expire May 26, 1965: Mrs. Murray Ezell of Port Neches, Jefferson County. To fill the unexpired term of Tom C. Dunn, Jr., deceased, term to expire May 26, 1965: Jim D. Bowmer of Temple, Bell County.

To be members of the State Commission for the Blind, for six-year terms to expire January 1, 1969: John B. Allen of Houston, Harris County; Miss Nell Scales of Austin, Travis County.

To be members of the State Board

of Chiropody Examiners, for six-year terms to expire August 11, 1967: Dr. J. C. Littrell of Waco, McLennan County; Dr. Joseph M. Valenza of Houston, Harris County.

To be members of the Texas Civil Judicial Council, for six-year terms to expire July 1, 1967: J. F. Hulse of El Paso, El Paso County; George W. Parker, Jr., of Fort Worth, Tarrant County; Maurice Brooks of Abilene, Taylor County.

To be members of the Board of Directors of the Central Colorado River Authority, for six-year terms to expire January 1, 1969: Oscar L. Cheaney of Santa Anna, Coleman County; J. W. Mullins of Coleman, Coleman County; Isaac S. Pate of Voss, Coleman County.

To be members of the Board of Directors of the Lower Colorado River Authority, for six-year terms to expire January 1, 1969: W. D. Corder of Burnet, Burnet County; M. C. Dalchau of Llano, Llano County; Sam K. Seymour, Jr., of Columbus, Colorado County; R. D. Wright of Wharton, Wharton County.

To be members of the Board of Directors of the Upper Colorado River Authority, for six-year terms to expire January 1, 1969: Jack Douthit of Sterling City, Sterling County; Dale Leddy of San Angelo, Tom Green County; L. T. Youngblood of Bronte, Coke County.

To be members of the Board of Directors of the Lower Concho River Water and Soil Conservation Authority, for six-year terms to expire January 1, 1969: Lambert Abernathy of Millersview, Concho County; Joe Brosig of Paint Rock, Concho County; W. R. Loveless of Eden, Concho County.

To be a member of the State Board of Control, to fill the unexpired term of Carl L. Phinney, resigned, term to expire August 31, 1965: Joseph Edwin Winfree of Houston, Harris County.

To be a member of the Texas Board of Corrections, to fill the unexpired term of Galloway Calhoun, deceased, term to expire February 2, 1965: O. J. McCullough of Houston, Harris County.

To be a member of the Credit Union Advisory Commission, to fill the

unexpired term of Ben G. Levissee, resigned, and for a three-year term to expire December 31, 1965: Jerry Deering of Arlington, Tarrant County.

To be members of the Egg Marketing Advisory Board: for six-year terms to expire September 27, 1967: Jack M. Dubose of Gonzales, Gonzales County; Boyd H. Hilley of Lamesa, Dawson County; Marvin Gilbreath of Houston, Harris County. To fill the unexpired term of Victor A. Jumper, resigned, term to expire September 27, 1965: McCall Sanders of Weimar, Colorado County.

To be members of the Fannin State Park Commission: for a six-year term to expire September 5, 1967: Sol Parks of Goliad, Goliad County. To fill the unexpired term of Walter Bluntzer, resigned, term to expire September 5, 1963: Mrs. Sally Gee Pettus of Goliad, Goliad County.

To be members of the Finance Commission of Texas: for six-year terms to expire February 1, 1967: C. D. Acker of Jacksonville, Cherokee County; Paul D. Lindsey of Dallas, Dallas County; H. T. Latham of Stephenville, Erath County. To fill the unexpired term of Walter Taylor, deceased, term to expire February 1, 1965: Doyle W. Taylor of Coleman, Coleman County.

To be members of the Good Neighbor Commission of Texas: for six-year terms to expire June 19, 1967: J. E. Connally of Abilene, Taylor County; William D. Bonilla of Corpus Christi, Nueces County; Mrs. Kelly McAdams of Austin, Travis County. To fill the unexpired term of R. L. Wheelock, deceased, term to expire June 19, 1963: J. Manley Head of Austin, Travis County.

To be members of the Board of Directors of the Upper Guadalupe River Authority, for six-year terms to expire January 1, 1969: L. T. Davis of Kerrville, Kerr County; Darrell G. Lochte of Kerrville, Kerr County; Fred Junkin of Kerrville, Kerr County.

To be a member of the Gulf States Marine Fisheries Commission, to fill the unexpired term of Wilson Southwell, resigned, term to expire March 17, 1963: Weldon B. Cabaniss of Rockport, Aransas County.

To be members of the Texas State

Historical Survey Committee, for six-year terms to expire January 1, 1969: Mrs. James P. Hart of Austin, Travis County; Walter Malec of Hallettsville, Lavaca County; W. R. Beaumier of Lufkin, Angelina County; E. R. Wright of Huntsville, Walker County. To fill the unexpired term of Lincoln Borglum, resigned, and for a six-year term to expire January 1, 1969: Jenkins Garrett of Fort Worth, Tarrant County. To fill the unexpired term of Mrs. E. A. Peden, resigned, and for a six-year term to expire January 1, 1969: Mrs. Mary Moody Northen of Galveston, Galveston County. To fill the unexpired term of Stuart McGregor, resigned, term to expire January 1, 1967: Roy H. Cullen of Houston, Harris County. To fill the unexpired term of F. Lee Lawrence, resigned, term to expire January 1, 1965: Vann M. Kennedy of Corpus Christi, Nueces County. To fill the unexpired term of Robert C. Wells, resigned, term to expire January 1, 1965: Sam Privitt of Childress, Childress County.

To be members of the Advisory Hospital Council, for six-year terms to expire July 17, 1967: Sister M. Emery Kavanaugh of Houston, Harris County; Dr. Silas W. Grant of Hillsboro, Hill County; L. N. Yeager of Navasota, Grimes County; Carleton W. Adams, Jr., of San Antonio, Bexar County.

To be a member of the Board for Texas State Hospitals and Special Schools, to fill the unexpired term of W. G. "Cotton" Kirklin, resigned, term to expire February 15, 1965: Jesse M. Osborn of Muleshoe, Bailey County.

To be members of the Texas Industrial Commission, to fill the unexpired term of R. F. Haynsworth, resigned, term to expire February 15, 1967: John Ben Shepperd of Odessa, Ector County. To fill the unexpired term of Al H. Chesser, resigned, term to expire February 15, 1963: Jack A. Martin of San Antonio, Bexar County. To fill the unexpired term of Morris Higley, resigned, term to expire February 15, 1963: Jack H. Drake of Weslaco, Hidalgo County.

To be a member of the State Board of Insurance, to fill the unexpired term of Judge Thomas C. Ferguson, resigned, term to expire January 31, 1963: Dr. Joseph F. Trosper of Dallas, Dallas County.

To be members of the Board of Regents of Lamar State College of Technology, for six-year terms to expire October 5, 1967: J. G. Bertman, Jr., of Liberty, Liberty County; Pat T. Peyton, Jr., of Beaumont, Jefferson County; Otho Plummer of Beaumont, Jefferson County. To fill the unexpired term of Fred Hartman, resigned, term to expire October 5, 1965: A. H. Montagne of Orangefield, Orange County.

To be members of the Board of Directors of Lavaca County Flood Control District Number 3, for two-year terms to expire January 1, 1965: Robert Pesek of Hallettsville, Lavaca County; Robert Gindler of Hallettsville, Lavaca County. For two-year terms to expire January 1, 1964: Alfred Neumeyer, Jr., of Hallettsville, Lavaca County; Erwin Bucek of Hallettsville, Lavaca County; Edmund Hajovsky of Hallettsville, Lavaca County.

To be members of the Texas Library and Historical Commission, for six-year terms to expire September 28, 1967: Dr. W. R. White of Waco, McLennan County; Fred Hartman of Baytown, Harris County.

To be members of the Board of Regents of Midwestern University, for six-year terms to expire February 25, 1968: Ralph O. Harvey, Jr., of Wichita Falls, Wichita County; Jack Hightower of Vernon, Wilbarger County; O. L. Bell of Quanah, Hardeman County. To fill the unexpired term of Curtis Renfro, resigned, term to expire February 25, 1966: Tom Craddock of Seymour, Baylor County. To fill the unexpired term of E. B. Clark, Sr., resigned, term to expire February 25, 1966: Dr. E. N. Jones of Dallas, Dallas County. To fill the unexpired term of Dr. W. R. White, resigned, term to expire February 25, 1966: Jack Hughes of Abilene, Taylor County.

To be members of the Board of Trustees of the Municipal Retirement System, for six-year terms to expire December 31, 1968: Clifford L. Davis of Amarillo, Potter County; Dan D. Nixon of Lampasas, Lampasas County.

To be members of the Board of Directors of the Neches River Conservation District, for six-year terms to expire September 5, 1967: Jack W. Flock of Tyler, Smith County; Dr.

Felix Peebles, Jr., of Lufkin, Angelina County; Dean W. Turner of Henderson, Rusk County. To fill the unexpired term of W. R. Beaumier, resigned term to expire September 5, 1963: Dan Melton of Lufkin, Angelina County.

To be a member of the State Board of Nurse Examiners, to fill the unexpired term of Sister Andrea Hickey, resigned, term to expire April 9, 1967: Miss Ruth LaVerne Gallman of Temple, Bell County.

To be a member of the State Board of Tuberculosis Nurse Examiners, for a six-year term to expire May 15, 1968: Miss Mildred Blair of Cisco, Eastland County.

To be Chairman of the Joint Board of Park Commissioners, for a two-year term to expire June 29, 1964: James R. Leeton of Fort Worth, Tarrant County.

To be members of the Joint Board of Park Commissioners, for two-year terms to expire June 29, 1964: O. B. English of Dallas, Dallas County; Charles C. Pierce of Dallas, Dallas County; W. R. (Fritz) Hawn of Dallas, Dallas County; Ernest J. Wilmon of Arlington, Tarrant County; Robert W. Leonard of Fort Worth, Tarrant County. For two-year terms to expire June 29, 1963: Leonard M. Green of Dallas, Dallas County; Julius Schepps of Dallas, Dallas County; James W. Aston of Dallas, Dallas County; D. O. Belew, Sr., of Fort Worth, Tarrant County, Rufus Garrett, Jr., of Fort Worth, Tarrant County; Perry Bass of Fort Worth, Tarrant County, Reub Berry of Fort Worth, Tarrant County.

To be Commissioners of Pilots for the Ports of Galveston and Texas City, for two-year terms to expire April 15, 1963: Rai Kelso of Galveston, Galveston County; Fred C. Hunter of Galveston, Galveston County; W. J. Sadler of Galveston, Galveston County; David A. Evans of Texas City, Galveston County; Edgar B. Taylor of Dickinson, Galveston County.

To be members of the State Board of Plumbing Examiners, for six-year terms to expire May 28, 1967: Howard R. Barr of Austin, Travis County; Arthur D. Goodman of Beaumont, Jefferson County.

To be members of the Public Safety Commission, to fill the unexpired term of Tom Hickman, deceased, term to expire December 31, 1967: Dr. W. R. White of Waco, McLennan County. To fill the unexpired term of Dr. W. R. White, resigned, term to expire December 31, 1967: Jake Jacobsen of Austin, Travis County.

To be a member of the Board of Managers of the Texas State Railroad, to fill the unexpired term of Johnnie Herrington, resigned, term to expire April 8, 1963: Hoyt Johnston of Palestine, Anderson County.

To be Interstate Compact Commissioner for the Red River, for a two-year term to expire December 3, 1963: Buster Cole of Bonham, Fannin County.

To be members of the Board of Directors of the Upper Red River Flood Control and Irrigation District, for six-year terms to expire July 3, 1967: Fred Mercer of Silverton, Briscoe County; Arville Setliff of Turkey, Hall County.

To be members of the Board of Directors of the Runnels County Water Improvement District, for six-year terms to expire January 1, 1969: Earl Barr of Ballinger, Runnels County; George Cathey of Wingate, Runnels County; Cecil Roper of Norton, Runnels County.

To be a member of the Board of Directors of the Sabine River Authority, to fill the unexpired term of J. H. Minton, resigned, term to expire July 6, 1965: J. L. Payne of Hemphill, Sabine County.

To be members of the Sabine River Compact: For a six-year term to expire July 12, 1968: Henry L. Woodworth of Orange, Orange County. For a three-year term to expire July 12, 1965: J. Ross Hopkins of Carthage, Panola County.

To be a member of the State Securities Board, to fill the unexpired term of W. M. (Pete) Rodes, resigned, term to expire upon the installation of the Governor in 1967: Carl L. Phinney of Dallas, Dallas County.

To be members of the State Seed and Plant Board, for two-year terms to expire October 6, 1964: Garwood Gerdes of Giddings, Lee County; Owen Gilbreath of Lubbock, Lubbock

County; Heino Staffel, Jr., of Austin, Travis County.

To be members of the Texas Submerged Lands Advisory Committee, for terms to expire December 31, 1962, and for terms to expire December 31, 1964: Dr. W. Armstrong Price of Corpus Christi, Nueces County; J. Chryst Dougherty of Austin, Travis County.

To be members of the Texas Surplus Property Agency, for two-year terms to expire October 31, 1963: Bill Bitner of Centerville, Leon County; Dr. William J. Hamm of San Antonio, Bexar County; James H. Garner of Austin, Travis County; James A. Giddings of Austin, Travis County; Theos S. Morck of Seguin, Guadalupe County; Ed Riedel of Austin, Travis County; C. A. Roberson, Jr., of Odessa, Ector County; Wendell T. Seibert of Eastland, Eastland County; Dana Williams of Corpus Christi, Nueces County.

To be a member of the State Board of Registration for Public Surveyors, to fill the unexpired terms of George H. Lacy, resigned, term to expire September 6, 1963: Kenneth Nelson of Diboll, Angelina County.

To be a member of the Board of Regents of the State Teachers Colleges, to fill the unexpired term of Frank E. White, deceased, term to expire January 10, 1965: J. L. Huffines, Jr., of Greenville, Hunt County.

To be members of the Board of Directors of Texas Southern University: To fill the unexpired term of John H. Crooker, Sr., resigned, term to expire February 1, 1965: Dr. Harvey Renger of Hallettsville, Lavaca County. To fill the unexpired term of E. R. Wright, resigned, term to expire February 1, 1965: Edward Clark of Austin, Travis County.

To be a member of the Board of Directors of Texas Technological College, to fill the unexpired term of Jim Lindsey, resigned, term to expire February 19, 1965: Charles D. Mathews of Dallas, Dallas County.

To be members of the Board of Regents of Texas Woman's University: To fill the unexpired term of Harvey Wuest, deceased, and for a six-year term to expire January 10, 1969: Ennis Favors of Stephenville, Erath County. To fill the unexpired

term of Rev. G. Ray Loden, resigned, term to expire January 10, 1965: Reagan Houston III of San Antonio, Bexar County.

To be a member of the Board of Directors of Trinity River Authority, to fill the unexpired term of J. W. Rogers, resigned, term to expire March 15, 1963: Brac Wilson of Leona, Leon County.

To be members of the Commission to the National Conference on Uniform State Laws, for four-year terms to expire July 7, 1965: Tom Martin Davis of Houston, Harris County; Crawford Kerr of El Paso, El Paso County; S. G. Koliuss of Houston, Harris County; E. Wayne Thode of Austin, Travis County; Talbot Rain of Dallas, Dallas County.

To be a member of the Veterans Land Board, for a four-year term to expire December 29, 1966: William Z. Gossett of Austin, Travis County.

To be members of the Texas Water Development Board, for six-year terms to expire December 30, 1967: Marvin Shurbet of Petersburg, Hale County; Milton T. Potts of Livingston, Polk County.

To be a member of the Board of Directors of the Williamson County Water Supply District, to fill the unexpired term of Marvin Mikeska, resigned, term to expire September 25, 1967: Kenneth Mann of Taylor, Williamson County.

Respectfully submitted,
PRICE DAINEL,
Governor of Texas.

Senate Resolution 27

Senator Hardeman by unanimous consent offered the following resolution:

Whereas, The coming of January 16, 1963, met the arrival of a little ray of sunshine in the person of Michael Britt Hathaway in Port Arthur, Texas; and

Whereas, This young native-born Texan is the bouncing son of Henry and Karol Hathaway of Port Arthur, and more important, he is the only grandchild of our distinguished colleague and his wife, Honorable and Mrs. D. Roy Harrington; and

Whereas, It is the desire of the Senate to note the advent of this young Texan and to extend its congratula-

tions to his proud parents and to his doting grandparents; now, therefore, be it

Resolved, by the Senate of Texas, That it officially note the birth of Michael Britt Hathaway and express its congratulations to his parents, Mr. and Mrs. Henry Hathaway, and to his grandparents, Senator and Mrs. D. Roy Harrington, and that a copy of this Resolution, under the official Seal of the Senate, be forwarded to Michael Britt Hathaway by the Secretary of the Senate.

HARDEMAN

Signed—Lieutenant Governor Preston Smith, Aikin, Bates, Blanchard, Calhoun, Cole, Colson, Creighton, Crump, Dies, Hall, Harrington, Hazlewood, Herring, Kazen, Kennard, Krueger, Moffett, Moore, Owen, Parkhouse, Patman, Ratliff, Reagan, Richter, Rogers, Schwartz, Spears, Strong, Watson, and Word.

The resolution was read.

On motion of Senator Dies and by unanimous consent the names of the Lieutenant Governor and all the Senators were added to the resolution as signers thereof.

The resolution was then adopted.

Senate Concurrent Resolution 10

Senator Spears offered the following resolution:

S. C. R. No. 10, Requesting Texas Legislative Council to study investment policies of State and Local Units of Government.

Whereas, Present tax sources at both state and local levels are rapidly nearing the saturation point, and there is a constant search for new means of acquiring tax dollars; and

Whereas, Tax revenues are received on one or more "penalty dates" during the year and following their receipt funds on hand naturally exceed the amount needed for immediate expenditure; and

Whereas, Similarly, bonds may be sold for financing capital construction and proceeds from their sale may not be needed for expenditure until later in the construction cycle; and

Whereas, Cash balances at both state and local levels obtained from these and other sources are often allowed to lie idle when those in excess of operating needs could be put to work drawing interest and thereby

producing additional revenue for the state or local government; and

Whereas, The state and local units of government within Texas are hard-pressed to raise the revenues necessary to keep abreast of an ever-broadening and intensifying demand for more governmental service arising from an increasing population and the quickening pace of technological change; and

Whereas, Investment possibilities of a short-term character may offer a significant potential revenue source to assist in meeting this demand; and

Whereas, Deposit insurance and stabilization of the banking system now make feasible investment policies of state and local governments along general lines of usual business practice, long considered too great a risk for public funds; and

Whereas, Constitutional and statutory restrictions may be a deterrent to the investment of state and local idle operating funds, as well as balances not needed for current requirements; now, therefore, be it

Resolved, by the Senate, the House of Representatives concurring, That the Texas Legislative Council be requested to study investment policies of the state and local units of government with respect to idle cash balances, looking toward utilization of such funds as a potential revenue source; and be it further

Resolved, That the study include a complete investigation of statutory and constitutional prohibitions which may exist with respect to investment of the state's own funds and those of local governments; and be it further

Resolved, That a full report on this subject, together with findings and recommendations and drafts of legislation which might be indicated, be made to the Fifty-ninth Legislature.

The resolution was read and was referred to the Committee on State Affairs.

Executive Session

On motion of Senator Schwartz and by unanimous consent the Senate agreed to hold an Executive Session at 12:18 o'clock p.m. today.

Accordingly, the President directed all those not entitled to attend the Executive Session of the Senate to retire from the Senate Chamber and instructed the Sergeant-at-Arms to close all doors leading from the Chamber.

At the conclusion of the executive session the Secretary of the Senate informed the Journal Clerk that the Senate had confirmed the following nominations of the Governor:

Louis T. Holland, Jr., to be Presiding Judge of the Eighth Administrative Judicial District.

In Legislative Session

The President called the Senate to order as In Legislative Session at 12:30 o'clock p.m. today.

Co-Author of Senate Joint Resolution 10

On motion of Senator Harrington and by unanimous consent he will be shown as co-author of S. J. R. No. 10.

Adjournment

On motion of Senator Ratliff the Senate at 12:31 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

NINTH DAY

(Tuesday, January 22, 1962)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Kennard
Bates	Krueger
Blanchard	Moffett
Calhoun	Moore
Cole	Owen
Colson	Parkhouse
Creighton	Patman
Crump	Ratliff
Dies	Reagan
Hall	Richter
Hardeman	Rogers
Harrington	Schwartz
Hazlewood	Strong
Herring	Watson
Kazen	Word

Absent—Excused

Spears

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yes-